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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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BILL LIETZKE

Plaintiff,

v.

CITY OF MONTGOMERY, *et al.*,

Defendants.

Case No. 3:16-cv-00735-MMD-WGC

ORDER ACCEPTING AND ADOPTING  
REPORT AND RECOMMENDATION OF  
MAGISTRATE JUDGE  
WILLIAM G. COBB

Before the Court is the Report and Recommendation of United States Magistrate Judge William G. Cobb (ECF No. 3) ("R&R") relating to Plaintiff's Application to Proceed *In Forma Pauperis* (ECF No. 1) and *pro se* complaint (ECF No. 1-1). Plaintiff had until February 10, 2017 to object. (ECF No. 3.) Plaintiff filed his objection on February 15, 2017. (ECF No. 4.) The Court nevertheless has considered Plaintiff's objection.

This Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, then the court is required to "make a *de novo* determination of those portions of the [report and recommendation] to which objection is made." 28 U.S.C. § 636(b)(1). In light of Plaintiff's objection, the Court engages in a *de novo* review to determine whether to adopt Magistrate Judge Cook's Recommendation.

The Magistrate Judge recommends that this case be dismissed for lack of personal jurisdiction and correctly noted the numerous other cases that Plaintiff, an

1 Alabama citizen, has filed against a defendant who also resides in Alabama. (ECF No.  
2 3.) Plaintiff cites to general cases relating to personal jurisdiction, but it is clear that this  
3 Court has no personal jurisdiction over the named out of state defendants. (ECF No. 4.)  
4 Upon reviewing the Recommendation and Plaintiff's filings, this Court finds good cause  
5 to adopt the Magistrate Judge's Recommendation in full.

6 It is therefore ordered, adjudged and decreed that the Report and  
7 Recommendation of Magistrate Judge William G. Cobb (ECF No. 4) is accepted and  
8 adopted in its entirety.

9 It is further ordered that Plaintiff's motion to proceed *in forma pauperis* (ECF No 1)  
10 is granted.

11 It is further ordered that the Clerk file the Complaint (ECF No. 1-1).

12 It is further ordered that the complaint is dismissed without prejudice.

13 The Clerk is instructed to close this case.

14 DATED THIS 28<sup>th</sup> day of April 2017.

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17 MIRANDA M. DU  
18 UNITED STATES DISTRICT JUDGE  
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